

STATE OF NEW HAMPSHIRE

Judicial Branch Family Division

Administrative Order 2007-03

RELATIVE TO: Telephonic Appearances at Certain Hearings

The Family Division has adopted a process for telephonic appearances for certain types of hearings scheduled on or after June 26, 2007.

Parties seeking to participate in these types of hearings by telephonic appearance, may do so by using the services of CourtCall®, an independent conference call company with whom the New Hampshire Courts have entered into a working arrangement.

Under no circumstances may any participant record or broadcast the proceedings.

Policy Governing Telephonic Appearances

1. Telephonic appearances are only allowed in the following matters before the Family Division:
 - a. Status conferences;
 - b. Scheduling conferences;
 - c. Pretrial conferences;
 - d. Motions hearings limited to discovery issues;
 - e. Motions to continue;
 - f. Motions to amend pleadings.

Other hearings may be allowed by special authorization from the court.

2. A party may participate by telephonic appearance in more than one case on a list. Any party solely interested in monitoring the Court's proceedings may participate by telephonic appearance in "listen only" mode.
3. If an individual schedules a telephonic appearance and then fails to respond to the call of the matter on the calendar, the court may pass on the matter or may treat the failure to respond as a failure to appear.
4. CourtCall® will provide a record of matters where telephonic appearances are made.
5. To ensure the quality of the record for hearings using CourtCall®, the use of car phones, cellular phones, speaker phones or phones in other public places is **prohibited**.
6. Each time a party speaks, they **must** identify themselves.
7. **Do not** place such a call on hold at any time.
8. When the judge or marital master informs the participants that the hearing is completed, you may then disconnect.

9. If you will be appearing at a later case on the same list, you may stay on the call and wait for your next case to be called.

Scheduling a Telephonic Appearance Using CourtCall®

1. To set up your CourtCall® appearance, call 1-888-882-6878 at least 2 days prior to your scheduled hearing date. Parties must provide CourtCall® with the following information:
 - Case name and docket number;
 - Name of the court and judge or marital master's name;
 - Hearing date and time;
 - Name, address, telephone number and facsimile number of participant;
 - Name of the party represented by the participant; and,
 - Matter on which the participant wishes to be heard or whether the participant intends to monitor the proceeding in "listen only" mode.

The party requesting to attend by using Court Call must also advise the other party, in writing, not less than forty-eight hours before the time of the hearing.

2. Participants will receive a confirmation and instruction via facsimile from CourtCall®.
3. It is the participant's responsibility to dial into the call no later than 10 minutes prior to the scheduled hearing time (using the court's local time). Hearings start promptly whenever possible.
4. Because there may be another hearing taking place on the conference line, be patient and listen for when your case is called so that you can enter the virtual courtroom. If there is a hearing ongoing, please wait until that hearing is concluded to announce yourself after the call of the case. If no hearing is underway, announce yourself and the party you represent, as well as any other parties listening from your office.
5. Each time you speak, identify yourself so that other participants and the court recorder will know who is speaking.
6. Sound quality is clearly important, so speak directly into the receiver. Position your phone so that ambient noise and paper rustling is at a minimum.
7. As noted above, do not place the call on hold at any time.
8. The court reserves the right to end a telephonic hearing and order the attorneys to personally appear at a later date and time, in which case there will be no refund of fees paid (see below).

9. Failure to follow this prescribed procedure may result in an award of costs and attorney's fees to the properly appearing party.
10. When the judge or marital master informs the participants that the hearing is completed, you may disconnect.
11. Information about CourtCall® policies may be obtained at www.courtcall.com or by calling 1-888-882-6878.

Fees

The fee for CourtCall® telephonic appearances is fixed by CourtCall®. The current rate is \$60 for each participant per call (whether in "listen only" mode or not) and regardless of the length of the call.

There are no subscription fees and no special equipment is required for participants to use CourtCall® services.

So ORDERED.

Dated: June 25, 2007

/s/ Edwin W. Kelly
Edwin W. Kelly
Administrative Judge
Judicial Branch Family Division